

that could not have been achieved without the assistance of NASA, a government Agency funded by the taxpayers of America.

And while we are talking about the profitability of satellites today—and that is already a very profitable industry—sometime in the future—not next year, not 10 years from now, but sometime in the future—the real money may come to those who not only provide satellites but those who figure out how to mine lucrative minerals or asteroids. Does this sound like science fiction? It is not. This is exactly what is being worked on right now, mining lucrative minerals on asteroids.

In 2015, the famous astrophysicist, Neil deGrasse Tyson, predicted:

The first trillionaire there will ever be is the person who exploits the natural resources on asteroids . . . There's this vast universe of limitless energy and limitless resources. I look at wars fought over access to resources. That could be a thing of the past, once space becomes our backyard.

End of quote, Mr. deGrasse Tyson.

Who gets to own the resources discovered by private corporations in space?

Well, as a result of a little-known 2015 SPACE Act that passed the Senate by unanimous consent with virtually no floor debate, private corporations are able to own all of these resources. In other words, the taxpayers of this country will get a zero-percent return on the investment they made in these private enterprises, which could turn out to be unbelievably lucrative.

Is that what we want space exploration to become? Do we really think that it is acceptable for NASA to hand out billions of dollars to some of the wealthiest billionaires in America today to make them even wealthier? Or do we want to use space exploration to benefit all of the American people and improve life here on the planet for everyone?

It is time that we had a serious debate on the future of NASA, instead of just handing out \$10 billion to Mr. Bezos.

Let me conclude by saying that I happen to believe and support space exploration. I think the benefits could be extraordinary for the American people and for people all over the world. But if we continue down the path of privatizing space exploration, it also has the potential to make the obscenely rich even richer and more powerful than anyone can possibly imagine today. In my view, we cannot and must not allow that to happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

NOMINATION OF KETANJI BROWN JACKSON

Mr. BENNET. Mr. President, I rise tonight to support Ketanji Brown Jackson's nomination to serve as an Associate Justice on the U.S. Supreme Court.

Judge Jackson comes to this floor with impeccable credentials. She graduated from Harvard magna cum laude.

She graduated with honors from Harvard Law School, where she edited the Harvard Law Review.

After graduation, Judge Jackson worked at top firms in private practice and secured three prestigious clerkships, including one for Justice Breyer on the Supreme Court of the United States. Later, she served as a public defender, representing people who couldn't afford a lawyer.

I can't think of better evidence of her commitment to equal justice under the law, where everyone, regardless of their means, has the right to fair representation.

Judge Jackson is clearly qualified for this position. There is nobody who doubts that. My colleagues know it because the Senate has confirmed her three times with bipartisan support: first, to serve as Vice Chair of the U.S. Sentencing Commission; second, for the U.S. District Court for the District of Columbia; and, last, for the U.S. Court of Appeals for the DC Circuit.

Taken together, Judge Jackson comes to this floor with the best legal training America can offer: a decade of experience on the Federal bench and a consistent record of bipartisan support here on this floor.

I had the opportunity to meet with Judge Jackson 2 weeks ago, after she had been rolled around in the barrel—that is one way of saying it—during the confirmation hearings that people all over the country watched. And in our conversation, after she had been through all of that turmoil, she told me about how her parents had attended segregated schools in Miami before working as public school teachers here in Washington, DC. Her dad went on to be a lawyer, a lawyer for the Miami school district, something I appreciate, having been a superintendent of schools.

Unlike her parents, Judge Jackson grew up in America after the civil rights laws of the 1960s and remembered how hard her parents worked every single day to give her opportunities they never even dreamed of for themselves. And she seized those opportunities. She earned top grade. She was elected student body president.

And when she told her guidance counselor she wanted to apply to Harvard, the counselor warned she shouldn't set her "sights so high." Fortunately for America, she set her sights high. She set her sights where they should have been set. She followed the high example of her parents, working hard and impressing everyone along the way, friends and colleagues and mentors, who are virtually beating down the doors of this Capitol to tell us what a thoughtful, fairminded, and principled Justice she would be.

That hasn't stopped some colleagues from distorting her record, trying to say to the American people that she is soft on crime. That would come as news, I think, to the Fraternal Order of Police, who has endorsed her candidacy for the Court. It would come as news to

the International Association of Chiefs of Police. Both have endorsed her nomination. They see what is obvious to anyone who fairly reviews her record, which is that Judge Jackson has spent her entire career devoted to the rule of law.

Her brother and two uncles served as police officers. So law enforcement isn't some academic abstraction for her. It is literally her family.

The Presiding Officer knows something about that, I think, in his family history as well.

In our meeting, I asked Judge Jackson what makes a good judge. We had a long talk about that. One of the things she said was communication, because judges have to explain their reasoning in every decision, which is a lot more than I can say for the U.S. Senate.

She also said that it is the unique role of the judge to identify and to extract their bias before every case. And if you look at her more than 570 written decisions, it is clear how seriously she takes that responsibility.

I was just on the phone with some people from Colorado before I came over here. And I said to them—I told them I was coming out here to give this speech. And I said to them—these are old, old friends of mine—that I can't remember a time when I sat down with somebody and had a 30-minute conversation where I came away more impressed than I was by Judge Jackson.

I found her to be both brilliant and completely down-to-earth, which is, I think, a particularly important combination for a judge at any level—at any level—to have both the intellect to grapple with the nuances of the law and the experience to appreciate how it affects real people.

It wasn't that long ago that Judge Jackson would have received over 90 votes on this floor, just like her mentor, Justice Breyer, did; just like qualified judges when I was in law school myself. The Senate confirmed Justice Breyer 96 to 3, just like we confirmed Justice Scalia 98 to 0, and Justice Sandra Day O'Connor got 91 to nothing. Somebody was out that day. I guarantee you they would have voted for her if they had been here.

Each time that happened, the Senate reinforced the independence of the judiciary, set aside our partisan politics, and stood up, I think, for integrity and for the rule of law.

I am sad. I am sad tonight that Judge Jackson won't get 99 votes tomorrow, even though she deserves it. And that is not a reflection on her. As I said, if this were an earlier day in the Senate, she would get 99 votes. She would have gotten 99 votes if she had come in a different era. It is a reflection of how we, as Senators—and I among them—have shredded our constitutional responsibility to advise and consent.

It is my hope that by the time—I was going to say, when my children are adults; they almost are adults; they

are adults—but by the time they are running the country, with everybody else in their generation, that we will have figured out a way to return the Senate to a place where we take our responsibility—our constitutional responsibility—to advise and consent seriously, and we find a way to make it, once again, a bipartisan effort in this place, and find a way to stitch ourselves back together again. I am prepared to work with anybody on the floor to try to do that. But in the meantime, this really, in my view, is a moment to celebrate. It is a moment to celebrate.

In the last few weeks, my office has literally been flooded with messages from Coloradans telling me what an extraordinary Justice Judge Jackson would make. And they don't have to persuade me. Judge Jackson is an inspiration to me and to so many Americans, to millions and millions of Americans.

In the past few weeks, I couldn't help but imagine what it would mean to the students I used to work for in the Denver Public Schools to see Judge Jackson on the Court, the same Court that once ruled in *Dred Scott v. Sandford* that her ancestors were little more than property, a Court that codified in *Plessy v. Ferguson* the segregated schools that her parents were forced to attend and the segregated hotels and buses and movie theaters they endured every single day, day after day.

And it is a reminder that change is possible in America. Our country isn't perfect—far from it. Our history has always been a battle between the highest ideals expressed in our Constitution and our worst impulses as human beings.

And if you look at our history, if you really look at our history, the path from cases like *Dred Scott* and *Plessy* to *Brown* and *Obergefell* was cleared, as it always is, by Americans who refused to give up on our highest ideals; who insisted, as Dr. King once said, that we make real the promise of our democracy.

This week is a victory for our highest ideals and for the promise of American democracy. It is a moment to celebrate a nation that, as Judge Jackson said, in one generation went from forcing her parents to live under Jim Crow to elevating her to the highest Court in the land.

After carefully reviewing her record, I believe that Judge Jackson will join the ranks of Earl Warren, Thurgood Marshall, and Ruth Bader Ginsburg, Justices who have helped bridge the gap between the words written in our Constitution and their reality in America today, and I hope she will join the Court's great dissenters, Justices like Justice Harlan, who opposed decisions that outlawed the minimum wage, or Justices Roberts and Murphy, who refused to condone the internment of Japanese Americans in Colorado and across the country. All of those Justices stood not for an ideology but for

the American values etched in our Constitution: freedom, equality, democracy, and the rule of law.

I am confident that Judge Jackson will stand for those values fairly, impartially, and without prejudice; and tomorrow I will enthusiastically vote for her confirmation. I would suggest that everybody in this Chamber would have a good reason to vote for her confirmation, and I hope they will consider it.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, in a few moments, I will lock in our agreement on both PNTR as well as cloture on the SCOTUS nomination.

First, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 810, 852, and 862; that the Senate vote on the nominations, en bloc, without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Glen S. Fukushima, of California, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2024; Krista Anne Boyd, of Florida, to be Inspector General, Office of Personnel Management; and Marvin L. Adams, of Texas, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I

ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 22-0E. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 20-40 of July 6, 2020.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 22-0E

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of France.
(ii) Sec. 36(b)(1), AECA Transmittal No.: 20-40; Date: July 6, 2020; Military Department: Navy.

(iii) Description: On July 6, 2020, Congress was notified by Congressional certification transmittal number 20-40, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of three (3) E-2D Advanced Hawkeye Aircraft, ten (10) T-56-427A engines (6 installed and 4 spares), three (3) AN/APY-9 radar assemblies, four (4) AN/ALQ-217 electronic support measure systems (3 installed and 1 spare), three (3) AN/AYK-27 Integrated Navigation Channels and Display Systems, five (5) Link-16 (MIDS-JTRS) Communications Systems (3 installed and 2 spares), ten (10) Embedded GPS/INS (EGI) Devices (6 installed and 4 spares), four (4) AN/APX-122(A) and AN/APX-123(A) Identification, Friend or Foe systems (3 installed and 1 spare) and one (1) Joint Mission Planning System. Also included were Common Systems Integration Laboratories with/Test Equipment, one in Melbourne, FL, and the other in France; air and ground crew equipment; support equipment; spare and repair parts; publications and technical documentation; transportation; training and training equipment; U.S. Government and contractor logistics, engineering, and technical support services; and other related elements of logistics and program support. The estimated total cost was \$2 billion. Major Defense Equipment (MDE) constituted \$1.3 billion of this total.

This transmittal notifies the inclusion of: one (1) Tactics Trainer—Weapon Systems (TT) (MDE). Also included are additional training devices, spares, and services. The total estimated MDE value will increase by \$42 million, resulting in a new MDE total of \$1.35 billion. The total estimated case value will increase to \$2.1 billion.

(iv) Significance: The proposed sale will improve France's ongoing E-2D acquisition. These trainers directly support France's capabilities for Electronic Warfare, air safety, NATO missions, and interoperability with U.S. forces.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a NATO ally which is